

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:12-cv-00191-RJC

WILLIE M. BURKE,

Plaintiff(s),

vs.

NANCY A. BERRYHILL,¹
ACTING COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

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ORDER

THIS MATTER comes before the Court on the Commissioner's Consent Motion to Reopen Case, (Doc. No. 32).

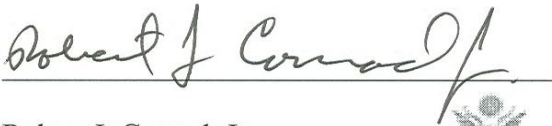
The Court remanded this case for further proceedings pursuant to Sentence Six of 42 U.S.C. § 405(g). (Doc. No. 30). The Commissioner has returned to the Court following completion of the administrative proceedings on remand so that the Court may enter a final judgment. (Doc. No. 32 at 2) (citing Melkonyan v. Sullivan, 501 U.S. 89, 98 (1991)). Upon reopening this case, the parties have stipulated that judgment should be entered for Plaintiff. (Id.).

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Commissioner Michael J. Astrue as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

IV. CONCLUSION

IT IS, THEREFORE, ORDERED that the parties' Stipulation to Reopen is granted, (Doc. No. 32), is **GRANTED**. Furthermore, the Court **ORDERS** that Judgment is entered for Plaintiff.

Signed: June 19, 2018

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

